

Office of the Clerk **United States Court of Appeals for the Ninth Circuit**

Post Office Box 193939 San Francisco, California 94119-3939 415-355-8000



MAR 3 2025

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

DOCKETING NOTICE

Docket Number: 25-1324

Originating Case Number: 3:23-cv-00459-VC

Short Title: Whalen, et al. v. Albertsons Companies, Inc., et al.

Dear Appellant/Counsel

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Motions filed along with the notice of appeal in the district court are not automatically transferred to this court for filing. Any motions seeking relief from this court must be separately filed in this court's docket.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

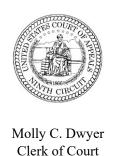
You must file a Disclosure Statement (Form 34) within 14 days of this notice if your case: (1) involves a non-governmental corporation, association, joint venture, partnership, limited liability company, or similar entity; (2) is a bankruptcy case; (3) is a criminal case involving an organizational victim; or (4) involves review of state court proceedings. See Ninth Circuit Rule 26-1.1.

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The \$605 docketing fee remains due. Failure to correct this deficiency within 14 days will result in the dismissal of this case for failure to prosecute. See 9th Cir. R. 42-1. The fee is payable to the district court or the tax court.

Failure of the appellant to comply with the time schedule order may result in dismissal of the appeal.

Please read the enclosed materials carefully.



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TIME SCHEDULE ORDER

Docket Number: 25-1324

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Monday, March 10, 2025

Christine Whalen Mediation Questionnaire due Katherine Arcell Mediation Questionnaire due Mediation Questionnaire due Jose Brito Mediation Questionnaire due Jan-Marie Brown Mediation Questionnaire due Rosemary D'Augusta Mediation Questionnaire due Brenda Davis Mediation Questionnaire due Pam Faust Carolyn Fjord Mediation Questionnaire due Don Freeland Mediation Questionnaire due **Donald Fry** Mediation Questionnaire due Mediation Questionnaire due Gabriel Garavanian Mediation Questionnaire due Harry Garavanian Jocelyn Gardner Mediation Questionnaire due Valerie Jolly Mediation Questionnaire due Michael Malaney Mediation Questionnaire due Mediation Questionnaire due Len Marazzo Mediation Questionnaire due Lisa McCarthy **Timothy Niebor** Mediation Questionnaire due Deborah Pulfer Mediation Questionnaire due

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Bill Rubinsohn

Sondra Russell

Mediation Questionnaire due
Gary Talewsky

Mediation Questionnaire due
Mediation Questionnaire due
Mediation Questionnaire due
Mediation Questionnaire due

Monday, March 17, 2025

Christine Whalen Appeal Transcript Order Due Appeal Transcript Order Due Katherine Arcell Appeal Transcript Order Due Jose Brito Appeal Transcript Order Due Jan-Marie Brown Appeal Transcript Order Due Rosemary D'Augusta Appeal Transcript Order Due Brenda Davis Appeal Transcript Order Due Pam Faust Appeal Transcript Order Due Carolyn Fjord Don Freeland Appeal Transcript Order Due **Donald Fry** Appeal Transcript Order Due Gabriel Garavanian Appeal Transcript Order Due Appeal Transcript Order Due Harry Garavanian Appeal Transcript Order Due Jocelyn Gardner Valerie Jolly Appeal Transcript Order Due Michael Malaney Appeal Transcript Order Due Appeal Transcript Order Due Len Marazzo Appeal Transcript Order Due Lisa McCarthy **Timothy Niebor** Appeal Transcript Order Due Deborah Pulfer Appeal Transcript Order Due Appeal Transcript Order Due Bill Rubinsohn Appeal Transcript Order Due Sondra Russell June Stansbury Appeal Transcript Order Due Clyde Duane Stensrud Appeal Transcript Order Due Gary Talewsky Appeal Transcript Order Due Pam Ward Appeal Transcript Order Due

Thursday, April 17, 2025

Christine Whalen Appeal Transcript Due Katherine Arcell Appeal Transcript Due

Jose Brito Appeal Transcript Due Appeal Transcript Due Jan-Marie Brown Appeal Transcript Due Rosemary D'Augusta Appeal Transcript Due Brenda Davis Pam Faust Appeal Transcript Due Carolyn Fjord Appeal Transcript Due Don Freeland Appeal Transcript Due **Donald Fry** Appeal Transcript Due Gabriel Garavanian Appeal Transcript Due Harry Garavanian Appeal Transcript Due Jocelyn Gardner Appeal Transcript Due Appeal Transcript Due Valerie Jolly Michael Malaney Appeal Transcript Due Len Marazzo Appeal Transcript Due Lisa McCarthy Appeal Transcript Due **Timothy Niebor** Appeal Transcript Due Appeal Transcript Due Deborah Pulfer Appeal Transcript Due Bill Rubinsohn Appeal Transcript Due Sondra Russell Appeal Transcript Due June Stansbury Clyde Duane Stensrud Appeal Transcript Due Gary Talewsky Appeal Transcript Due Pam Ward Appeal Transcript Due

Tuesday, May 27, 2025

Christine Whalen Appeal Opening Brief Due Appeal Opening Brief Due Katherine Arcell Appeal Opening Brief Due Jose Brito Appeal Opening Brief Due Jan-Marie Brown Rosemary D'Augusta Appeal Opening Brief Due Appeal Opening Brief Due Brenda Davis Appeal Opening Brief Due Pam Faust Carolyn Fjord Appeal Opening Brief Due Don Freeland Appeal Opening Brief Due Appeal Opening Brief Due **Donald Fry** Gabriel Garavanian Appeal Opening Brief Due Harry Garavanian Appeal Opening Brief Due

Jocelyn Gardner Appeal Opening Brief Due Valerie Jolly Appeal Opening Brief Due Appeal Opening Brief Due Michael Malaney Len Marazzo Appeal Opening Brief Due Lisa McCarthy Appeal Opening Brief Due **Timothy Niebor** Appeal Opening Brief Due Deborah Pulfer Appeal Opening Brief Due Bill Rubinsohn Appeal Opening Brief Due Appeal Opening Brief Due Sondra Russell June Stansbury Appeal Opening Brief Due Clyde Duane Stensrud Appeal Opening Brief Due Gary Talewsky Appeal Opening Brief Due Pam Ward Appeal Opening Brief Due

Friday, June 27, 2025

Albertsons Companies, Inc.

Appeal Answering Brief Due
The Kroger Co.

Appeal Answering Brief Due
Cerberus Capital Management, LP

Appeal Answering Brief Due

If there were reported hearings, the parties shall designate and, if necessary, cross-designate the transcripts pursuant to 9th Cir. R. 10-3. If there were no reported hearings, the transcript deadlines do not apply.

The optional reply may be filed within 21 days of service of the answering brief. See Fed. R. App. P. 31 and 9th Cir. R. 31-2.1.

Failure of the appellant to comply with the time schedule order may result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.